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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF WYOMING

MARTIN CHAPARRO, and)	
JAMES GOULD and ERIN GOULD,)	
and ERIN GOULD as natural guardian)	Civil Action No. 08 CV - 049B
for FRANK GOULD and)	
JASMINE GOULD,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
COLORADO CASUALTY INSURANCE)	
COMPANY,)	
)	
Defendant.)	

***PLAINTIFFS' DESIGNATION OF JOSEPH K. McELHINNY Psy.D. AS A TREATING
PHYSICIAN WITNESS UNDER USDCtLR 83.6 (d)***

In compliance with USDCtLR 83.6 (d), the Plaintiffs herewith designate Joseph K. McElhinny, Psy.D. Neuropsychologist, 1643 Lewis Avenue, Suite 7, Billings, Montana 59104 as a expert/treating physician witness.

Dr. McElhinny will testify as to the examination, treatment and testing of Plaintiff

James Gould for injuries that Mr. Gould suffered in the collision of February 17, 2004. Dr. McElhinny was a treating neuropsychologist who treated Mr. Gould in regard to his post concussion syndrome. Dr. McElhinny will testify from his knowledge, background and experience as a neuropsychologist and upon his clinical examination and evaluation of Mr. Gould's testing and clinical evaluation. He will testify that Mr. Gould exhibited no indications of any attempt at symptom magnification and was attempting to live as normal life as he could under the circumstances.

Plaintiffs' Exhibit 182 hereto is Dr. McElhinny's curriculum vitae which includes his publications. Plaintiffs' Exhibit 184 is Dr. McElhinny's list of depositions and court testimony and Plaintiffs' Exhibit 183 is the list of charges and fees and his conditions for taking depositions and trial testimony.

Dr. McElhinny will testify in accordance with the information contained in his medical record which is attached as Plaintiffs' Exhibit 185. It is his opinion that Mr. Gould has all the classic symptoms of post-concussive disorder secondary to the automobile accident of February 17, 2004.

The billing for examination, evaluation and consultation were billed through and paid for by the Wyoming Workers Safety and Compensation Department.

Dr. McElhinny bases his opinion upon the medical record as well as his clinical history. Dr. McElhinny may be used as a foundational witness for Dr. Thai, or other of Plaintiffs' experts.

Dated: this 16th day of July, 2008.

/s/Stephen L. Simonton

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CERTIFICATE OF SERVICE

I, Stephen L. Simonton, hereby certify that on this 16th day of July, 2008, I served a true and correct copy of the foregoing Designation by filing it with the Clerk of Court using the CM/ECF system which will send notification to counsel for the Defendant at the following e-mail address and also mailed by U.S. Mail:

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